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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/556,716	02/21/2006	James Kenneth McAlpine	M-0930.02	3308
41418	7590	06/16/2010	EXAMINER	
LAW OFFICES OF CHRISTOPHER L. MAKAY			NGUYEN, TUAN N	
1634 MILAM BUILDING			ART UNIT	PAPER NUMBER
115 EAST TRAVIS STREET			3751	
SAN ANTONIO, TX 78205-1763			MAIL DATE	DELIVERY MODE
			06/16/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action <i>After the Filing of an Appeal Brief</i>	Application No. 10/556,716	Applicant(s) MCALPINE, JAMES KENNETH
	Examiner Tuan N. Nguyen	Art Unit 3751
--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --		

The reply filed 03 June 2010 is acknowledged.

1. The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

- a. The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).
- b. The affidavit or other evidence is not timely filed before the filing of an appeal brief. See 37 CFR 41.33(d)(2).

2. The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. Other: The amendment to correct typographical error to place the case in better condition for appeal has been entered. The claims still stand rejected as indicated in the previous office action.

/Tuan N Nguyen/
Primary Examiner, Art Unit 3751